

SEP 28 2005

PATENT
5298-05300 (CD01013)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mulligan

Serial No. 09/826,998

Filed: April 3, 2001

For: EXECUTABLE CODE DERIVED
FROM USER-SELECTABLE LINKS
EMBEDDED WITHIN THE
COMMENTS PORTION OF A
PROGRAM

Group Art Unit: 2173
Examiner: Kieu D. Vu

Atty. Dkt. No. 5298-05300

I hereby certify that this correspondence is being transmitted via facsimile or deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date indicated below:

09/28/2005
Date

Pamela Gerik
Pamela Gerik

DECLARATION UNDER 37 C.F.R. 1.131 BY STEVE H. KOLOKOWSKY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

I, Steve H. Kolokowsky, hereby declare and state that:

1. I am a named inventor in the above-identified patent application, which is a U.S. patent application, Serial No. 09/826,998, filed April 3, 2001.
2. I have been informed that in the present application, certain claims have been rejected on reference to Chaudhry, U.S. Patent No. 6,721,944, issued April 13, 2004 and filed provisionally on May 31, 2000.

CONCEPTION

3. As set forth in more detail below, I conceived the subject matter claimed in the present application within the United States before May 31, 2000. The subject matter includes an apparatus and method for generating computer executable code, where the method includes creating a data set by modifying a comments portion of a program, and where the step of modifying includes activating a user-selectable link embedded within the comments portion.

4. Exhibit A attached hereto is a true copy of the invention disclosure consisting of four (4) pages which evidences our conception date before May 31, 2000. The invention disclosure is only one example of an earlier conception date of our invention set forth in the claims of our captioned patent application. The actual date for first drawings, the first written description, and the first oral disclosure to others has been redacted from the Exhibit A.

5. Exhibit A establishes possession by the inventors of the captioned application and invention, as claimed. Specifically, the invention disclosure set forth as Exhibit A describes the presently claimed step of creating a data set by modifying a comments portion of a program, where the step of modifying includes activating a user-selectable link embedded within the comments portion (see, e.g., Exhibit A, page 4, where the disclosed "hot spots" are equivalent to the claimed "user-selectable links" or "user activation of a link"). The invention disclosure also describes the remainder of what was set out in the captioned application claims, including the generation of program code (i.e., computer executable code, or programmable signals) by inserting the data set into an applications program (see, e.g., Exhibit A, page 4, where the "modifiable comment fields are turned into program code automatically").

REDUCTION TO PRACTICE AND DILIGENCE

6. From at least a time just prior to May 31, 2000 through the filing of the application on April 3, 2001, plans were undertaken to prepare the captioned patent application, which was commissioned to Kevin Daffer at Conley, Rose & Tayon, P.C. We continued working on, testing and generally increasing usability functionality of our invention from May 31, 2000 until the captioned application was filed at the U.S. Patent and Trademark Office. We did not abandon, suppress, or conceal the ideas set forth in the claimed invention during at least the time beginning prior to May 31, 2000 through the filing of the application on April 3, 2001.

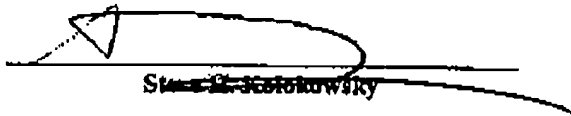
7. In other words, we were duly diligent from a time prior to May 31, 2000 through the filing of the captioned application on April 3, 2001. We continued to work on our claimed invention set out in Exhibit A by building, testing, experimenting with, and generally improving the operation of our invention throughout the critical period prior to May 31, 2000 to when Mr. Daffer filed our application on April 3, 2001. After performing the mental steps required to conceive the invention, the inventive concepts were translated into source code, followed by testing and debugging procedures to optimize the code during the critical time period.

8. Upon information and belief, it is our informed understanding that diligence in reducing the invention to practice was therefore maintained from at least as early as May 31, 2000 through the filing of the application on April 3, 2001.

98. I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

9/17/05


Steve R. Skotkowski

CYPRESS SEMICONDUCTOR

CYPRESS SEMICONDUCTOR INVENTION DISCLOSURE FORM

DISCLOSURE NO. CD01013

1. INVENTOR(S)

A. Name Thomas P. Mulligan Initials tpm Empl. No. 8236 Ext. No. 858-613-7925
Citizenship USA Dept # 0217-219-3100 Home Phone No. 858-780-2883

Home Mailing Address 8327 Via Panacea, San Diego, CA 92129

B. Name _____ Initials _____ Empl. No. _____ Ext. No. _____
Citizenship _____ Dept # _____ Home Phone No. _____

Home Mailing Address _____

C. Name _____ Initials _____ Empl. No. _____ Ext. No. _____
Citizenship _____ Dept # _____ Home Phone No. _____

Home Mailing Address _____

D. Name _____ Initials _____ Empl. No. _____ Ext. No. _____
Citizenship _____ Dept # _____ Home Phone No. _____

Home Mailing Address _____

2. TITLE OF INVENTION Hot Code

3. CONCEPTION OF INVENTION

A. Date of first drawing or drawings [REDACTED]Where can first drawing be found? SourceSafeDatabaseB. Date of first written description [REDACTED]Where can description be found? Gpif Tool User Guide- SourceSafeDatabaseC. Date of first oral disclosure to others [REDACTED]To whom? tzh, syk, tge, xgr, omd

Inventor(s) _____ Date _____

Inventor(s) _____ Date _____

Inventor(s) _____ Date _____

Witnessed, Read, and Understood by: _____ Date _____

Witnessed, Read, and Understood by: _____ Date _____

(Each page upon which information is entered should be signed and witnessed.)

CYPRESS SEMICONDUCTOR**CYPRESS SEMICONDUCTOR INVENTION DISCLOSURE FORM****4. CONSTRUCTION OF DEVICE**

- A. Date completed
B. Was prototype made? Y
C. By whom made? tpm
D. Where can the prototype be found? SourceSafeDatabase

5. TEST OF DEVICE

- A. Date: Witness(es): Internal Beta
B. Results: Works OK

6. SALE

- A. Was invention sold or offered for sale? Yes X No
B. Was invention used to make, assemble or test a commercial product? Yes X No
C. Will invention be sold, offered for sale, sampled, or used to make, assemble or test a commercial product?
Yes X No
D. Actual or estimated date of first sale, offer or commercial use
E. Is invention part of a product for which there is a data sheet? Yes No X (if yes,
attach a copy of the data sheet)
F. Actual or estimated date of publication, release or availability of data sheet N/A

7. USE

- A. Is invention presently being used? Yes X No
B. Are there specific plans for its use in near future? In what products or processes?
Customer Dependant

8. RELATED PUBLICATIONS, PATENTS, AND PATENT APPLICATIONS

Gpi/Tool

9. WAS INVENTION: Conceived (Yes (No Constructed (Yes (No Tested (Yes
(No N during performance of Government Contract?

Contract Number

Inventor(s) Date

Inventor(s) Date

Inventor(s) Date

Witnessed, Read, and Understood by: Date

Witnessed, Read, and Understood by: Date

(Each page upon which information is entered should be signed and witnessed.)

CYPRESS SEMICONDUCTOR**CYPRESS SEMICONDUCTOR INVENTION DISCLOSURE FORM**

(Give Full Contract Number)

The description of invention should be written in the inventor's own words and generally should follow the outline given below. Sketches, prints, photos, and other illustrations, as well as memos or reports of any nature in which the invention is referred to, if available, should form a part of this disclosure and reference and be made thereto in the descriptions of the invention's construction and operation.

FOR ANSWERS TO THE FOLLOWING QUESTIONS, USE THE REMAINDER OF SHEET AND THE ATTACHED SHEET(S).

1. General purpose of invention. State in general terms the objects of the invention.
 2. Describe old technology, if any, for performing the function of the invention. Provide references, if available.
 3. Indicated the disadvantages of the old technology.
 4. Describe your invention and its construction, showing the changes, additions and improvements over the old method.
 5. Give details of its operation (i.e., how is your invention used?), if not already described under 4.
 6. State the advantages of your invention over what has been done before.
 7. Indicated any alternate component(s) and/or method(s) of construction.
 8. If a joint invention, indicate what contribution was made by each inventor.
 9. Describe the features that are believed to be new.
 10. State opinion of relative value of invention.
 11. After the disclosure is prepared, it should be signed by the inventor(s) and then read and signed by two witnesses in the space provided at the bottom of each sheet.
-

Inventor(s) _____ Date _____

Inventor(s) _____ Date _____

Inventor(s) _____ Date _____

Witnessed, Read, and Understood by: _____ Date _____

Witnessed, Read, and Understood by: _____ Date _____

(Each page upon which information is entered should be signed and witnessed.)

CYPRESS SEMICONDUCTOR**CYPRESS SEMICONDUCTOR INVENTION DISCLOSURE FORM****General purpose of invention:**

Generation of program comments translated directly into program code.

Old technology: Manual generation of program code in a text editor.

Disadvantages of the old technology: Takes more time, is error prone, and requires subsequent generation of program comments.

Description of invention:

"Hot Code" uses a GUI where an embedded CPU source file is displayed in a text editor, along with support code to complete a working program. The comments section of the program code has active "hot spots" (similar to internet URL's) that are used to select different configuration options and also to select the behavior and timing of generated program code. The "hot spots" produce dropdown menus when selected.

The comments section represents an active tool for the configuration of the code, which appears in the same window below the comments. The comments are automatically generated by user selection of dropdown options, and the resulting code is modified immediately, so the user can evaluate the resulting code while always viewing the code (and comments) itself. There is no context switch necessary for the user - they are always looking at the changing code itself. The result is a complete program that is self-documented.

State the advantages of your invention over what has been done before:

The user does not need to use an "app builder" like tool, which generates code at the end of the process. They are always working in the "program code" domain. Hot Code takes modifiable comment fields and turns them into program code automatically (within the same view - which is a view of the program code), as opposed to a "wizard" type interface which does not allow subsequent modifications of the output from the wizard.

Describe the features that are believed to be new:

Configurable comments section with GUI within a text editor.
Automatic and instant translation of program comments to code.
Comments section can contain "tool tips" (pop-up suggestions) to assist in the selection of options. With "Hot Code", the user is working in the context of the comments and existing code - where the comments provide the necessary comments relevant to the program domain.

State opinion of relative value of invention:

Serves as a general GUI for the documentation and configuration of program code.
Serves as a general GUI for the configuration of any embedded environment.

Inventor(s) _____ Date _____

Inventor(s) _____ Date _____

Inventor(s) _____ Date _____

Witnessed, Read, and Understood by: _____ Date _____

Witnessed, Read, and Understood by: _____ Date _____

(Each page upon which information is entered should be signed and witnessed.)